

CALIFORNIA CODES
PROBATE CODE
SECTION 4600-4643

4600. This division may be cited as the Health Care Decisions Law.

4603. Unless the provision or context otherwise requires, the definitions in this chapter govern the construction of this division.

4605. "Advance health care directive" or "advance directive" means either an individual health care instruction or a power of attorney for health care.

4607. (a) "Agent" means an individual designated in a power of attorney for health care to make a health care decision for the principal, regardless of whether the person is known as an agent or attorney-in-fact, or by some other term.

(b) "Agent" includes a successor or alternate agent.

4609. "Capacity" means a person's ability to understand the nature and consequences of a decision and to make and communicate a decision, and includes in the case of proposed health care, the ability to understand its significant benefits, risks, and alternatives.

4611. "Community care facility" means a "community care facility" as defined in Section 1502 of the Health and Safety **Code**.

4613. "Conservator" means a court-appointed conservator having authority to make a health care decision for a patient.

4615. "Health care" means any care, treatment, service, or procedure to maintain, diagnose, or otherwise affect a patient's physical or mental condition.

4617. "Health care decision" means a decision made by a patient or the patient's agent, conservator, or surrogate, regarding the patient's health care, including the following:

(a) Selection and discharge of health care providers and institutions.

(b) Approval or disapproval of diagnostic tests, surgical procedures, and programs of medication.

(c) Directions to provide, withhold, or withdraw artificial nutrition and hydration and all other forms of health care, including cardiopulmonary resuscitation.

4619. "Health care institution" means an institution, facility, or agency licensed, certified, or otherwise authorized or permitted by law to provide health care in the ordinary course of business.

4621. "Health care provider" means an individual licensed, certified, or otherwise authorized or permitted by the law of this state to provide health care in the ordinary course of business or practice of a profession.

4623. "Individual health care instruction" or "individual instruction" means a patient's written or oral direction concerning a health care decision for the patient.

4625. "Patient" means an adult whose health care is under consideration, and includes a principal under a power of attorney for health care and an adult who has given an individual health care instruction or designated a surrogate.

4627. "Physician" means a physician and surgeon licensed by the Medical Board of California or the Osteopathic Medical Board of California.

4629. "Power of attorney for health care" means a written instrument designating an agent to make health care decisions for the principal.

4631. "Primary physician" means a physician designated by a patient or the patient's agent, conservator, or surrogate, to have primary responsibility for the patient's health care or, in the absence of a designation or if the designated physician is not reasonably available or declines to act as primary physician, a physician who undertakes the responsibility.

4633. "Principal" means an adult who executes a power of attorney for health care.

4635. "Reasonably available" means readily able to be contacted

without undue effort and willing and able to act in a timely manner considering the urgency of the patient's health care needs.

4637. "Residential care facility for the elderly" means a "residential care facility for the elderly" as defined in Section 1569.2 of the Health and Safety **Code**.

4639. "Skilled nursing facility" means a "skilled nursing facility" as defined in Section 1250 of the Health and Safety **Code**.

4641. "Supervising health care provider" means the primary physician or, if there is no primary physician or the primary physician is not reasonably available, the health care provider who has undertaken primary responsibility for a patient's health care.

4643. "Surrogate" means an adult, other than a patient's agent or conservator, authorized under this division to make a health care decision for the patient.